Amendments to the Drawings:

The attached drawing sheets 5 and 8 containing Figs. 5 and 8 replace the original drawing sheets 5 and 8.

REMARKS

Claims 1-29, 31-38, 40-47 and 49-55 are currently pending in the application. By this amendment, claims 1, 14, 16, 29, 38 and 47 are amended for the Examiner's consideration. The foregoing separate sheets marked as "Listing of Claims" show all the claims in the application, with an indication of the current status of each .

The Examiner's withdrawal of the previous grounds of rejection is acknowledged with appreciation.

The Examiner has objected to the drawings under 37 CFR §1.83(a) on the grounds that the drawings fail to show the feature of the invention recited as "at least one retrieval condition, at least one corresponding identifier" in claim 1 and "a retrieval condition" in claims 16, 29, 38 and 47. However, Figs. 5 and 8 each show a table containing illustrative retrieval conditions (e.g. "Urgent") and corresponding identifiers for an image file (e.g. "image 1") or sound file (e.g. "effective sound 1") to be displayed, as described in the claims. It will further be observed that Figs. 6 and 9 each show how the retrieval condition from the table is used. Step (402, 802) shows retrieving a key word from an email by referring to the key word table, and step (403, 803) shows how the key word from the key word table is used as a condition, by asking whether the key word is included in the email. To further clarify these matters, the specification and drawings have been amended to enumerate with particularity the illustrated retrieval conditions and their corresponding identifiers. No new matter has been added.

The Examiner has objected to claims 1 and 16 for an apparent inconsistency between the reference in claim 1 to "at least one corresponding <u>identifier for an image or sound file</u>" (emphasis added) and the reference in claim 16 to "at least one

corresponding <u>identified image</u> or sound file". This apparent inconsistency is resolved by the description in the specification at page 29, line 11, to page 30, line 3, as shown in Figs. 5 and 8. Claim 1 corresponds to the table shown in Fig. 5 and claims an <u>identifier</u> for an image or sound file, that is, the table in Fig. 5 contains a pointer to corresponding data in memory. Claim 16 corresponds to the table shown in Fig. 8 and claims an <u>identified image or sound file</u> actually stored in the table itself. Thus claims 1 and 16 contain different language corresponding to the different conditions described in the specification and figures. There is a distinction between a table that contains an <u>identifier</u> for an image or sound file and a table that contains the image or sound file itself. This distinction is carried through in the differences between Figs 5 and 8, respectively, and claims 1 and 16, respectively. It is therefore believed that the ground of objection is overcome.

The Examiner has rejected claims 29, 31-37, 47, and 49-55 under 35 U.S.C. §101

> because claim 29 recites the elements of "a first function block, a second function block" and claiums 47, 49-55 recite the elements of "a computer program", which when read in light of the specification amounts to nothing more than computer software void of computer readable medium. See MPEP 2106(IV)(B)(1)

Claim 29 is an apparatus claim, and has been amended to replace "function block" terminology with the more conventional "means plus function" language. Claim 47 is a computer code implementation claim and has been amended to claim "computer code" elements. The Examiner's assistance in pointing out the need for these corrections is acknowledged with appreciation.

The Examiner has rejected claims 1-29, 31-38, 40-47 and 49-55 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,973,458 to Maeda et al. ("Maeda"). Maeda describes a prior art system for constructing a database in a user

system, which can automatically store those portions of the structured documents which contain important contents without exerting a burden on the user. Maeda deals with documents having imbedded tags for identifying particular portions of a document, as described at col. 8, lines 10-41. For example, SGML documents (and World Wide Web documents using the SGML subsets HTML and XML) are structured using these imbedded tags. Under the prior art, documents requested by or transmitted to the user via servers would be stored for a certain time but then deleted after a certain period, thereby requiring the user to identify any important material in the documents before they are deleted. The Maeda invention allows the user to specify important content, as determined by the structure of the document and, further, according to a condition table pertaining to the content of the particular important structure. Then, using these specifications, documents sent to the user will be sent in such a fashion that the important content is highlighted or otherwise explicitly identified to the user (see col. 11, lines 40-42). Thus, the documents received by the user are provided with a structure and tags that make the important content accessible to the user.

However, this is not the functionality provided by the present invention. In Maeda, the "important content" is simply tagged so that it is displayed prominently to the user. The "retrieval conditions" are used to tag <u>existing content</u> as "important", as with a clipping service. By contrast, the present invention provides a "retrieval condition" <u>in the message, by itself,</u> **without** <u>the desired content</u>. The desired content is then provided <u>at the user end</u> by reference to the table, which links the "retrieval condition" with the desired content (i.e. the corresponding image or sound file).

Maeda's condition table fails to provide the claimed functionality of the present invention, namely, a corresponding display method that is <u>specified in the</u>

table itself and invoked in response to the retrieval condition. The citations to Maeda

provided by the Examiner with respect to claim 1 indicate only that the content is

displayed if the content is found to contain a retrieval condition (col. 11, lines 40-42).

This kind of display is very old in the art. The Examiner, in practical effect, is

attempting to argue that the claim reads on this trivial display disclosure. This

argument ignores the structure of the claim, which includes the corresponding display

(i.e. a specified image or sound file) in the table itself. It should be pointed out that

Maeda's condition table is not explicitly described, and nowhere in Maeda is there

support for the table structure claimed, and as shown in Figs. 5 and 8 of the present

invention. That table structure provides a retrieval condition column, a

corresponding image column and a corresponding sound column. The independent

claims (1, 16, 29, 38 and 47) all refer to the image or sound file specified by this

table.

Furthermore, the table structure provided by the invention enables a

functionality not even remotely suggested – and certainly not enabled – by Maeda,

namely, that a sender can achieve a desired image or sound display to a receiver

simply by including a corresponding retrieval condition in the transmission. The

desired display (i.e. a large image file or a sound file) is accomplished at the receiver

by referring to the table, which either points to an image file or sound file in memory

(as shown in Fig. 5) or contains the image file or sound file in the table itself (as

shown in Fig. 8). As construed by the Examiner, Maeda's display of the information

item is double counted as also including display of an "image or sound file". The

claim language identifies an "image or sound file" distinct from the "information

item", a point that is clarified by the above amendments to the claims.   Note that the

present invention is concerned with using images and audio to enhance the content of

messages, and in particular to do so without burdening the communication channel with the large file sizes commonly associated with image and audio files. It is the table and its structure – which are missing from Maeda – that enable this functionality.

Consequently, it is clear that Maeda does not support a *prima facie* rejection of claim 1 on §102(e) grounds. The same argument applies to independent claims 16, 29, 38, 47 and their respective dependent claims.

The Examiner has rejected claims 1-29, 31-38, 40-47 and 49-55 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application No. 2003/0158734 to Cruickshank. Cruickshank discloses a text to speech conversion system. The object of the present invention is not a conversion of text to a voice, but conveyeance of an intended emotive image or sound, the intended emotion being merely represented by the "retrieval condition". The passages of Cruickshank cited by the Examiner as addressing the table provided by the invention (as discussed above with respect to the Maeda reference) instead describe a parsing algorithm seeking a match for textual units, which are then sent to a concatenation engine for the generation of speech corresponding to the input text. Presumably, the Examiner is arguing that the textual units are "retrieval conditions" and that the concatenation engine produces a corresponding "sound" as output. However, there is no table of correspondence between a retrieval condition and image or sound files. Cruickshank fails to disclose the above described table and table structure claimed for the invention. As with the Maeda reference, the table structure provided by the invention enables a functionality not even remotely suggested – and certainly not enabled – by Cruickshank, namely, that a sender can achieve a desired image or sound display to a receiver simply by including a corresponding retrieval condition in the transmission.

Consequently, it is clear that Cruickshank does not support a *prima facie* rejection of claim 1 on §102(e) grounds. The same argument applies to independent claims 16, 29, 38, 47 and their respective dependent claims.

It may be helpful, as a summary to the foregoing discussion of Maeda and Cruickshank, to provide a diagram of the claim structure that shows the claim elements with their relationships as claimed:

Claim Element	Present in Maeda	Present in Cruickshank
A communication network;	Yes	Yes
a plurality of terminal devices	Yes	No
connectable to said communication network	Yes	No
for transmitting from a sender	Yes	No
and receiving by a user	Yes	No
an information item	Yes	Yes
through said communication network	Yes	No
wherein said communication system includes		
a table which provides at least one retrieval condition	**Yes**	**Yes**
and for each said retrieval condition		
at least one corresponding identifier	**No**	**No**
for an image or sound file to be displayed	**No**	**No**
so as to enable said terminal devices		

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to detect in said information item from said sender said at least one retrieval condition	Yes	No (no sender)
and, if detected, to display said information item	Yes	Yes
with corresponding image or sound file, the corresponding image or sound file being distinct from the information item.	No	No

In view of the foregoing, it is requested that the application be reconsidered, that claims 1-29, 31-38, 40-47 and 49-55 be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at 703-787-9400 (fax: 703-787-7557; email: clyde@wcc-ip.com) to discuss any other changes deemed necessary in a telephonic or personal interview.

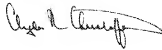PF-2894   **AMENDMENT WITH RCE**   01450013aa
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       If an extension of time is required for this response to be considered as being timely filed, a conditional petition is hereby made for such extension of time. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Sincerely,

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